

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA

vs.

JAMES HUTTO

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CR. NO. 2:01cr20212-D

APR 21 11 09:26

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ORDER HOLDING DEFENDANT FOR FINAL REVOCATION HEARING

On April 19, 2005, *James Hutto* appeared before me on a charge of violation of the terms and conditions of his supervised release in this matter. The defendant had previously been advised of his rights under Fed.R.Crim.P. 5 and 32.1(a), and counsel was appointed.

At this hearing, the defendant was released on bond and, therefore, a preliminary hearing on the violation was not required. See United States v. Sciuto, 531 F.2d 842, 846 (7th Cir. 1976) and United States v. Tucker, 524 F.2d 77, 78 (5th Cir. 1975), cert. denied, 424 U.S. 966, 96 S.Ct. 1462, 47 L.Ed.2d 733 (1976).

Accordingly, defendant, *James Hutto* is held to a final revocation hearing before United States District Judge **Bernice B. Donald**. It is presumed that the District Judge will set this matter for a revocation hearing pursuant to Fed.R.Crim.P. 32.1(b), (c), and will see that appropriate notices are given.

IT IS SO ORDERED this 20 day of April, 2005.


TU M. PHAM
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:01-CR-20212 was distributed by fax, mail, or direct printing on April 21, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT